

REMARKS

Applicant respectfully traverses and requests reconsideration.

Applicant wishes to thank the Examiner for the notice that claims 6, 8, 14, 15, 21, 23, 28, 29, 35 and 37 would be allowable if written in independent form to include limitations from intervening claims.

Remaining claims 1-5, 7, 9, 16-20, 22, 30-34 and 36 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,744,077 (Fadem et al.) in view of U.S. Patent No. 4,805,222 (Young et al.). In the "Response to Arguments" section of the office action, the Examiner indicates that Applicant allegedly attempted to rely on features that were not specifically mentioned in the claims. However, as noted in the previous response, Applicant indicated "among other advantages, Applicant's method and apparatus can prevent keyboard sniffing applications and other applications attempting to intercept messages from a message queue of a particular application by inserting, for example, fake messages." As such, Applicant pointed out an advantage of the claimed invention and did not intend these limitations to be read into the broadest claim. Applicant did argue, however that claim 1, for example, requires providing insertion data that prevents interception of incoming data, as part of the incoming data. The incoming data containing actual data and the insertion data is then filtered by comparing stored provided insertion data with the incoming data to determine which data of the incoming data is actual data. Such an operation does not appear to be taught by Fadem or Young or the combination of the two references. The office action cites column 12, lines 33-52 of the Fadem reference as well as column 12, lines 54-66 and also notes columns 13-15. The office action states that "the insertion data is the ID of the user". Applicant respectfully submits that the office action appears to overlook claim language that was added by amendment.

For example, Applicant specifically claimed that the insertion data of the claimed invention is insertion data that prevents interception of incoming data but is inserted as part

of incoming data. The received incoming data which contains actual data and the insertion data is filtered by comparing the stored provided insertion data with incoming data to determine which data is actual data. Actual data means data that is expected or useful. Insertion data as set forth in the claim means data that is inserted that prevents interception of incoming data. The Fadem reference does not contemplate the insertion of any such data. In fact, the ID of the user as taught in Fadem is actual data since it is data that is actually needed by the system to operate. As such, this is actual and legitimate data that does not prevent interception of incoming data as required by the claim. In fact, it does not appear that Fadem teaches the prevention of interception of any incoming data of any type. As such, the claims are in condition for allowance.

Although the claims are allowable for this reason alone, Applicant also notes that the Young reference is directed to a method and apparatus for verifying an individual's identity. The office action cites Young as allegedly disclosing providing insertion data to prevent interception of the incoming data and that the insertion data is part of the incoming data. The office action cites column 2, column 3, lines 1-14 of Young and indicates that the comparison between the key strokes is allegedly the inserted data to determine which key strokes are identifiable as that of an expected user. However, the Young reference is directed to a completely different problem than that described by Applicant and describes a completely different solution.

For example, the Young reference is directed to a method and device that verifies the identity of an individual based on key stroke dynamics. In other words, Young relies on experiments that have been done to show that the way an individual types tends to be as unique as a person's fingerprints (see for example, column 1, line 36). The Young reference describes a system that verifies an individual's identity based on the unique or distinctive typing patterns of an individual. There is no insertion of data that prevents interception of

incoming data as claimed. In Young, an individual creates a template that may be, for example, a series of typed characters which are then compared at different times with key strokes being entered by a current user. In each case, the key strokes being entered are actual data that are intended to be used by the system. There is no insertion of any fake data or other insertion data to prevent interception of incoming data. In fact, Young is not attempting to prevent interception of any incoming data but to the contrary, accepts all incoming data and then compares a sequence of typed characters with a stored template of typed characters to see if the system can determine if the distinctive typing pattern of an individual matches that of the template. There is no data that is inserted with actual data as required by the claims that is taught or suggested by either Fadem or the Young reference. Accordingly, claims 1, 16 and 30 are in condition for allowance.

As to claims 2, 17 and 31, Applicant again respectfully submits that Fadem is silent as to processing actual data resultant from the filtering for use by a software application since there is no filtering of insertion data from incoming data to obtain actual data as required by the claim. The office action also appears to admit this by noting that Fadem does not disclose the insertion data as claimed and as such it cannot teach the filtering of such data either.

As to claims 3, 18 and 32, again the cited portion of Fadem appears to be silent as to queuing insertion data with actual data for output as incoming data since there is no insertion data used in Fadem.

As to claims 4, 5, 7, 9, 19, 20, 22, 33, 34 and 36, Applicant respectfully submits that each of these dependent claims add additional novel and non-obvious subject matter. For example, there is no teaching or suggestion of randomly selecting of randomized data from a list of data and formatting the randomized data as the insertion data since Fadem again fails to teach or suggest any randomized data being inserted with actual data. In addition, there does not appear to be any controlling of timing of insertion data generation or the output

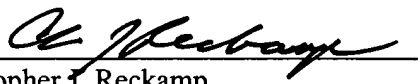
based on data queue parameters since there is no teaching of the claimed type of insertion data. Accordingly, these claims are in condition for allowance and for the reasons stated above.

Claims 10-13 and 24-27 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Fadem et al. in view of U.S. Patent No. 3,878,332 (Morgan et al.). Claim 10 as amended also requires that the insertion data prevents interception of incoming data. Moreover, the claim requires that the insertion data is selected from a list of randomized data which is mixed with incoming data. Applicant respectfully reasserts the relevant remarks made above with respect to the Fadem reference and as such the claims are in condition for allowance. In addition, Applicant also notes that the Morgan reference again does not teach or suggest randomizing insertion data to prevent interception of incoming data wherein the insertion data prevents an interception of incoming data nor the filtering of incoming data that contains insertion data to determine actual data as required by the claims. Accordingly, the claims are believed to be in condition for allowance.

Accordingly, Applicant respectfully requests that a timely Notice of Allowance be issued in this case. The Examiner is invited to contact the below-listed attorney if the Examiner believes that a telephone conference will advance the prosecution of this application.

Respectfully submitted,

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